

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

George Fitzmaurice, et al.

Application No.: 10/748,685

Group Art Unit: 2174

Filed: December 31, 2003

Examiner: Le V. Nguyen

For: A LAYER EDITOR SYSTEM FOR A PEN-BASED COMPUTER

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: After Final

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed November 13, 2009 finally rejecting claims 7-17.

The due date for response was February 13, 2010 (which was a Saturday). Also note that February 15, 2010 was a Federal Holiday. Accordingly, this Notice of Appeal is timely filed.

The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

— Attached is a petition for a -month extension of time for reply to the final rejection. \$

2. APPEAL FEE

X Other than a small entity 540.00

TOTAL FEE \$540.00

3. PAYMENT

Please charge Deposit Account No. 19-3935 for the total fee of **\$540.00**.
 Charge Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 2-16-10

By: John R. Bednarz
John R. Bednarz
Registration No. 62,168

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501